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GOVERNMENT OF KERALA

Home (SS-A) Department

NOTIFICATION

No. 28751/SSA-1/77/Home. *Dated, Trivandrum, 9th June 1977.*

S. R. O. No. 484/77.—WHEREAS the Government of Kerala are of opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making enquiries into certain definite matters of public importance namely, the alleged taking into custody by the police and subsequent disappearance of Shri Vijayan Nair, S/o Shri N. Purushothaman Pillai, 'Jalaja Bhavan, Varkala, Trivandrum District, Shri Kakkuzhiyil Kannan, Edacherry Amsom, Nadapuram, Kozhikode District and Shri Thandasseri Venugopalan, S/o Thandassery Karappan, Iringapuram, Guruvayoor Police Station Limits, Trichur District;

2. Now, therefore, in exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952), the Government of Kerala hereby appoint a Commission of Inquiry consisting of Shri Justice G. Viswanatha Iyer, Judge, High Court of Kerala.

3. The terms of reference of the Commission shall be as follows:—

(i) to enquire into and report (a) whether Shri Vijayan Nair was actually taken into custody by the police on 5th March, 1976 or on any other date; (b) if he was so taken into custody, who were the officers who took him into custody and (c) whether he is still

in police custody and if not, what happened to him after he was taken into police custody, if he was so taken into custody.

(ii) to enquire into and report (a) whether Shri Kakkuzhiyil Kannan was actually taken into custody by the police on 1st January 1977 or on any other date; (b) if he was so taken into custody who were the officers who took him into custody and (c) whether he is still in police custody and if not, what happened to him after he was taken into police custody, if he was so taken into custody.

(iii) to enquire into and report (a) whether Shri Thandasseril Venugopalan was actually taken into custody by the police during July 1976; (b) if he was so taken into custody, who were the officers who took him into custody and (c) whether he is still in police custody and if not, what happened to him after he was taken into police custody, if he was so taken into custody.

(iv) to enquire into and report along with the matters aforesaid such other ancillary matters that may be placed before the Commission by the State Government in the course of the enquiry.

4. The Commission shall complete the inquiry and submit its report to the Government within three months from the date of this notification.

5. The Government are of opinion that having regard to the nature of the inquiry to be made and other circumstances of the case, that all the provisions of sub-section (2), sub-section (3), sub-section (4) and sub-section (5) of section 5 of the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952), should be made applicable to the Commission, and the Government hereby direct under sub-section (1) of the said section 5 that all the provisions aforesaid shall apply to the Commission.

By order of the Governor,

S. NARAYANASWAMY,
Special Secretary to Government.

Explanatory Note

Government consider that a judicial probe is necessary for bringing to light the facts relating to the cases of Shri Vijayan Nair, Varkala, Kakkuzhiyil Kannan, Nadapuram and Shri Thandasseril Venugopal, Guruvayoor who are alleged to be missing after they were taken into custody by police. The notification is intended to achieve the above object.

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